

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|-------------------------------|---|----------------------|
| JO-ANN FIELDS, CAMERON FIELDS |) | |
| and CHERISH FIELDS, |) | |
| |) | |
| Plaintiffs, |) | 8:04CV554 |
| |) | |
| v. |) | |
| |) | |
| OMAHA HOUSING AUTHORITY, |) | MEMORANDUM AND ORDER |
| |) | |
| Defendant. |) | |
| |) | |

Plaintiffs' counsel has filed an application for fees and expenses, to which the defendant has objected as excessive. I have reviewed the application and the objections, and I agree with the defendant that the amount of time claimed exceeds what should be necessary for the referenced motion to compel discovery. I have reduced the hours of Ms. Mahern to 8.2 and the hours of the law students to 4.6. I have awarded the hourly rates requested, as I find them reasonable.

IT THEREFORE HEREBY IS ORDERED,

Plaintiffs are awarded the sum of \$1,460 in fees and expenses in connection with the motion to compel and for sanctions. This award shall be made a part of the judgment eventually entered in this case in accordance with paragraph 3 of the order of April 25, 2006, filing 72.

IT IS FURTHER ORDERED,

1. Plaintiff's motion for continuance, filing 75, is granted and trial is continued to 9:00 a.m., September 18, 2006 before the Honorable Richard G. Kopf in Courtroom 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. Trial is subject to the prior disposition or continuance of any criminal matters which may be set for that week. Jury selection will be held at commencement of trial.

2. The pretrial conference is continued to August 18, 2006 at 10:00 a.m. before the undersigned magistrate judge in Lincoln, Nebraska.

3. The deposition deadline is extended to August 4, 2006, and other deadlines which use the deposition deadline as a point of reference are extended accordingly.

4. All other provisions of the court's order setting this case for trial shall remain in effect.

DATED this 30th day of May, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge